

**UNITED STATES DISTRICT COURT**  
**FOR THE SOUTHERN DISTRICT OF NEW YORK**

NEW MEXICO UNITED FOOD AND  
COMMERCIAL WORKERS UNION'S AND  
EMPLOYERS' HEALTH AND WELFARE TRUST  
FUND, on behalf of itself and all others similarly  
situated,

Plaintiff,

V.

**Civil Action No. 07-cv-6916-JGK**

PURDUE PHARMA L.P., PURDUE PHARMA, INC., THE PURDUE FREDERICK COMPANY, INC. d/b/a THE PURDUE FREDERICK COMPANY, P.F. LABORATORIES, INC., ABBOTT LABORATORIES, ABBOTT LABORATORIES, INC., MICHAEL FRIEDMAN, HOWARD R. UDELL, PAUL D. GOLDENHEIM, JOHN DOE Nos. 1 through 20, and JANE DOE Nos. 1 through 20,

**Defendants.**

AMERICAN FED'N OF STATE, COUNTY &  
MUNICIPAL EMPLOYEES, DISTRICT  
COUNCIL 47 HEALTH AND WELFARE FUND,  
et al.,

Plaintiffs,

V.

**Civil Action No. 07-8761-JGK**

PURDUE PHARMA L.P., and THE PURDUE  
FREDERICK COMPANY, INC.

**Defendants.**

## PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY

**PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY**

Plaintiffs file this Notice of Supplemental Authority to inform the Court of the decision of the United States Court of Appeals for the Second Circuit in *City of New York v. Smokes-Spirits.com, Inc.* This opinion has direct bearing on Plaintiffs' claims under civil Racketeer Influenced and Corrupt Organizations Act ("RICO"). A copy of this decision is attached here to as Exhibit A.

Dated: September 5, 2008

By:

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**CERTIFICATE OF SERVICE**

I, TerriAnne Benedetto, hereby certify that on September 5, 2008, I caused a true and correct copy of the foregoing document, Plaintiffs' Notice of Supplemental Authority to be served via ECF and email, on the following defense counsel of record:

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